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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,598	08/31/2000	Philip D. Chapnik	8397/PMC	4613

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POLAROID CORPORATION
PATENT DEPARTMENT
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EXAMINER

JELINEK, BRIAN J

ART UNIT PAPER NUMBER

2615

DATE MAILED: 06/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/653,598

Applicant(s)

CHAPNIK ET AL.

Examiner

Brian Jelinek

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5 is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 8/31/2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4 and 5</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

This is a first office action in response to application no. 09/653,598 filed on 8/31/2000 in which claims 1-10 are presented for examination.

Priority

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 60/151,884, filed on 9/1/1999.

Drawings

The drawings are objected to because of the following informalities: the drawings contain numerous mistakes and inconsistencies with the specification (see below for specific examples).

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: element "22" described on page 8, line 11 (Fig. 16) as an electrooptic layer; and element "24" described on page 8, line 13 (Fig. 16) as a second substrate.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "30" and "36" in Fig. 2 have both been used to designate image recordable units.

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The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "40" has been used to designate both camera electronics and an image sensor in Fig. 3.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

Claim 9 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 9 is not further limiting because claim 3 already claims that a photosensitive medium is self-developing photosensitive film.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, and 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stephenson (U.S. Pat. No. 5,802,413) in view of Yamamoto et al. (U.S. Pat. No. 6,396,565).

Regarding claim 1, Stephenson teaches an electronic camera (Fig. 1, element 10; col. 2, line 35) comprising a camera housing (Fig. 1); an objective lens for admitting image-carrying light rays into said camera housing (Fig. 1, element 14a; col. 2, lines 41-43); an electronic image acquisition assembly capable of receiving said image-carrying light rays and converting said image-carrying light rays into image-encoding digital information (col. 2, lines 39-52) and a flat panel LCD display capable of being electronically addressed, in response to said image-encoding digital information (col. 2, lines 47-52) because electronic addressing is inherent in displaying an image on the liquid crystal display.

Stephenson does not specifically teach that the LCD display is of the reflective type to provide in reflected light a reflection image. However, Stephenson does teach that the LCD display is of conventional design. At the time of the invention a reflective LCD was a conventional design. For example, Yamamoto et al. (U.S. Pat. No. 6,396,565) specifically teaches using a reflective LCD of the twisted and super twisted nematic liquid crystal type (col. 4, lines 29-36; col. 20, line 59-col. 21, line 17) in a photographic printing device (col. 4, lines 29-36). As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to configure the LCD display of Stephenson as being of the reflection type since such LCD configuration is known in the art to be conventional.

In addition, Stephenson teaches that the electronic camera comprises a receptacle for holding a photosensitive imaging medium (col. 2, lines 53-55); and an optical system capable of directing the image off a flat panel display toward a receptacle for the imagewise area exposure of a photosensitive imaging medium held therein (Fig. 2). In the combination of Stephenson and Yamamote et al., the directed image would be a reflected image, reflected off the reflective flat panel display.

Regarding claim 2, Stephenson teaches the electronic image acquisition assembly is a digital area image sensor that is well understood in the art (col. 2, lines 39-47). Stephenson does not specifically teach that the digital area image sensor is a CCD. However, a CCD would have been well understood in the art of digital area image sensors at the time of the invention. Official Notice is given that it would have been obvious to one of ordinary skill in the art at the time of the invention to use a CCD as a digital area image sensor for the image acquisition assembly.

Regarding claims 3, 6, and 9 Stephenson teaches a receptacle for holding a photosensitive medium is a receptacle for holding a cassette of self-developing photosensitive film (col. 3, lines 47-48).

Regarding claims 4 and 7, Yamamoto et al. teaches a twisted nematic flat panel LCD display (col. 21, lines 14-16).

Regarding claim 8, Stephenson teaches a method for recording an image onto a photosensitive medium (col. 2, lines 39-55; col. 2, line 64-col. 3, line 3) comprising the steps of (a) providing a photosensitive medium (col. 2, line 64-col. 3, line 3); (b)

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providing a liquid crystal display capable of being electronically addressed to provide a image (col. 2, lines 39-52) because electronic addressing is inherent in displaying an image on the liquid crystal display.

Furthermore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide a reflective LCD display (see the 103 rejection of claim 1) of the twisted nematic or super twisted nematic liquid crystal type (see the 103 rejection of claim 4).

Furthermore, Stephenson teaches directing image light onto photosensitive medium for the recordation therein of the image (Fig. 2, element 38; col. 2, line 64-col. 3, line 3).

Regarding claim 10, Stephenson teaches the photosensitive film comprises a flexible substrate onto which is deposited a silver halide emulsion film (col. 2, line 64-col. 3, line 3) because a sheet is a flexible substrate.

Allowable Subject Matter

Regarding claim 5, the reason for allowance is as follows: the prior art does not disclose or fairly suggest an optical system capable of selectively directing the reflection image reflected off a reflective flat panel display toward either (a) a receptacle for the imagewise area exposure of a photosensitive imaging medium held therein, or (b) a reflection image viewer for the viewing thereof by a user of the device.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Jelinek whose telephone number is (703) 305-4724. The examiner can normally be reached on M-F 8:00 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on (703) 308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brian Jelinek
5/10/2004



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